

By: Madden

H.B. No. 404

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the participation of a judge in political party  
3 activities.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter B, Chapter 33, Government Code, is  
6 amended by adding Section 33.039 to read as follows:

7 Sec. 33.039. POLITICAL PARTY ACTIVITIES. Notwithstanding  
8 the Code of Judicial Conduct or any other law, participation by a  
9 judge in political party activities, including voting in a  
10 political party convention or serving as a delegate to any  
11 precinct, county, senatorial district, state, or national  
12 political party convention, does not constitute judicial  
13 misconduct.

14 SECTION 2. The change in law made by this Act applies to an  
15 investigation of or a formal proceeding regarding a complaint of  
16 judicial misconduct being conducted on or begun on or after the  
17 effective date of this Act, regardless of whether the conduct or act  
18 that is the subject of the investigation or proceeding occurred or  
19 was committed before, on, or after the effective date of this Act.

20 SECTION 3. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect September 1, 2003.